

Appl. No. : 09/213,138
Filed : December 16, 1998

REMARKS

In the Office Action mailed on November 20, 2006, the Examiner rejected the pending claims. Applicants respectfully request reconsideration of this application in view of the above amendments and the foregoing remarks. Claims 1-10, 15-17, and 19-25 were pending. Claims 1-6 have been amended without prejudice or disclaimer with Applicants expressly reserving the right to pursue claims that are the same or similar as the unamended versions of these claims in future related applications. Claims 7-10, 15-17, and 19-25 have been canceled also without prejudice or disclaimer with Applicants expressly reserving the right to pursue claims that are the same or similar in future related applications. No new claims have been added and no new matter has been added by way of these amendments. Claims 1-6 remain pending.

Claim Objection

The Examiner objected to Claim 18. Applicants respectfully note that Claim 18 was previously canceled, rendering this objection moot.

Claim Rejection

Claims 1-10, 15-17, and 19-25 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,966,697 to Fergerson et al. Applicants respectfully disagree with the rejection of these claims because the Fergerson reference fails to teach or suggest all of the limitations recited in the claims. However, in an effort to further prosecution, Applicants have amended the claims to further define Applicants' claimed inventions.

Fergerson does not disclose or suggest many features of the claimed inventions. For example, Fergerson does not discuss configuring a server to find a particular medical product that corresponds to the products offered by competitors. To the contrary, the Fergerson reference teaches a shopping cart system that requires a user to search for products one-by-one at various merchants and then modify the contents of the cart accordingly. Fergerson states:

For example, if the user selects a blue sweater from merchant A, the selection data identifying the sweater from merchant A is transferred to the merchant B computer. If the user finds an alternative blue sweater, which the user prefers, at merchant B, the user can select the sweater from merchant B and remove the sweater from merchant A from his shopping section data without returning to merchant A. Alternatively, the user could change his selection from merchant A while shopping at merchant B. For example, the user could change his color selection of the sweater selected from merchant A when the latter blue sweater is selected from merchant B. Because the selection data is not processed until the

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user has completed shopping at all the merchants which the user desires, the user is able to modify the selection data at any time during a shopping session.

The Fergerson reference, col. 4, ll. 34-48 (emphasis added). Thus, the Fergerson reference merely teaches a way to enable the user to modify the contents of the shopping cart.

In contrast, Claim 1 recites, among other limitations, "a product information server configured to receive a request from a user to find at least one of said first set of medical products corresponding to at least one of said competing set of medical products and further configured to provide data to identify said at least one of said first set of medical products found by said product information server, the server enabling said electronic store page to access said dynamic page file, to process said instructions, and to provide said electronic store page to said user, said product information server running on a computer operably connected to said computer readable medium."

Thus, as recited in Claim 1, the user inputs information about a competing medical product and, in response, the server finds a corresponding medical product using the data representing correlations between medical products. Fergerson does not disclose or suggest revealing corresponding products sold by various companies to expedite and simplify the product selection process.

Applicants respectfully request withdrawal of the rejection of Claim 1 because the Fergerson reference fails to teach or suggest each and every limitation of Claim 1. Applicants further request withdrawal of the rejection of Claims 2 – 6 which depend directly or indirectly from Claim 1 and are also allowable.

CONCLUSION

For the reasons stated above, Applicant submits that all the pending claims are patentably distinct over the cited art and thus are in condition for allowance. Applicant respectfully requests that the Examiner withdraw the rejections of the claims and pass the present application to issuance.

If any pending issues remain or if any issues require further clarification, the Examiner is respectfully invited to call Applicant's representative at the number indicated below. Please

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charge any additional fees, including any fees for additional extensions of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: 5/21/07

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